

Accessibility Codes in New Hampshire

All new construction, renovations/alterations and additions must be accessible to and useable by people with disabilities. The following state and federal laws and codes apply in the State of New Hampshire.

NH RSA 155-A describes the **NH State Building Code**, which incorporates by reference the International Building Code (IBC) 2009. The accessibility standards of the State Building Code for new construction are addressed in IBC Chapter 11, which also references ICC/ANSI A117.1-2003 (ANSI). For existing facilities, accessibility standards are addressed in the International Building Code (IEBC) 2009. NH amendments to the 2009 ICC codes can be found at

<http://www.nh.gov/safety/boardsandcommissions/bldgcode/documents/IBC2009NHAmendments.pdf>.

IBC 2009 and ANSI 2003 are available through the International Code Council (ICC) at 1-800-786-4452 or <http://www.iccsafe.org>.

Free access to IBC 2009 can be found at <http://publicecodes.cyberregs.com/icod/ibc/2009/index.htm?bu=IC-P-2009-000001&bu2=IC-P-2009-000019> and free access to IEBC 2009 can be found at <http://publicecodes.cyberregs.com/icod/iebc/2009/index.htm?bu=IC-P-2009-000006&bu2=IC-P-2009-000019>.

Additional information on codes that are applicable in New Hampshire and the amendments to the NH State Building Code can be found online from the **Building Code Review Board** at

<http://www.nh.gov/safety/boardsandcommissions/bldgcode/nhstatebldgcode.html>.

The requirements for accessible means of egress are found in IBC Chapter 10 and in the *Life Safety Code*®, NFPA 101 2009 edition, published by the National Fire and Protection Association (<http://www.nfpa.org>).

After completing a free registration, free access to NFPA 101 can be found at

<http://www.nfpa.org/aboutthecodes/AboutTheCodes.asp?DocNum=101>.

For compliance with fire safety measures, the State Fire Marshal is responsible for the approval of all plans for construction or revision of all state buildings and properties, including the university system, per NH RSA 153:8-a (I)(a). Also refer to the NH Fire Code, Saf-c 6000, found at

http://www.gencourt.state.nh.us/rules/state_agencies/saf-c6000.html

The **Code for Barrier Free Design** (AB Code) for the State of New Hampshire is listed in the Abfd rules, Part 303. The AB Code applies only to new construction or substantial renovations that are paid for (partially or in full) by federal, state, county, municipal and/or local funds for public (federal-state-county-municipal) buildings such as libraries, schools, polling places, courthouses, and municipal and state parks. The AB code incorporates by reference the 2010 ADA Standards for Accessible Design, with some exceptions to the requirements for accessible parking spaces.

According to NH RSA 275-C:16, it is unlawful for any state or local authority who reviews building plans or for any building inspector to knowingly and willingly approve the construction or opening of any building or facility which is not in compliance with the AB Code unless the **Committee on Architectural Barrier-Free Design** has issued a waiver specific to the project.

There is now a requirement for certification that building plans and new construction/alterations of buildings meet the accessibility standards of the State Building Code per NH RSA 155-A: 5-a, **Accessibility Standards for Public Buildings**.

The Americans with Disabilities Act (ADA), the 1990 Federal civil rights law, mandates accessibility for all new construction and alterations. The 2010 ADA Standards for Accessible Design are found online at http://www.ada.gov/2010ADASTandards_index.htm.

Title II of the ADA, State and Local Government

http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm

Title III of the ADA, Places of Public Accommodations

http://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm

Additional accessibility codes/regulations that may apply to projects in New Hampshire:

Section 504 of the Rehabilitation Act <http://www.hud.gov/offices/fheo/disabilities/sect504faq.cfm>

Fair Housing Act Accessibility Guidelines <http://www.hud.gov/offices/fheo/disabilities/fhefhag.cfm>